

ORIGINAL

FILED
DISTRICT COURT OF GUAM

MAY 25 2006 *✍*

MARY L.M. MORAN
CLERK OF COURT

jameslujanpsr

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**IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ROBERT LUJAN,

Defendant.

CRIMINAL CASE NO. 05-00076

**GOVERNMENT'S STATEMENT
ADOPTING FINDINGS OF
PRESENTENCE REPORT, AND
MOTION FOR A ONE-LEVEL
DEPARTURE**

Pursuant to General Order 88-1, as amended by General Orders 93-00006 and 98-00002,
the United States adopts the findings of the Presentence Report for the above defendant.

In addition, the United States of America, plaintiff, by and through the undersigned
counsel Karon V. Johnson, Assistant United States Attorney, moves this Honorable Court for a
one level departure downward from the guidelines sentencing level pursuant to USSG § 3E1.1(b)
because the defendant timely notified the government of his intention to enter a plea of guilty,
thereby permitting the government to avoid preparing for trial and permitting the court to allocate

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1 its resources efficiently. Accordingly, defendant's total offense level will be 33, with a
2 sentencing range of 135-168 months. The government anticipates filing a substantial assistance
3 motion at a later time.

4 RESPECTFULLY SUBMITTED this 23rd day of May, 2006.

5 LEONARDO M. RAPADAS
6 United States Attorney
7 Districts of Guam and the NMI

8 By: Karon V. Johnson
9 KARON V. JOHNSON
10 Assistant U.S. Attorney
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